

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC., PRODUCTS LIABILITY
LITIGATION

Document Electronically Filed

MDL No. 1:13-md-2419-FDS

THIS DOCUMENT RELATES TO:

*Rivera v. New England Compounding Pharmacy,
Inc. et al.*, Docket No. 13-cv-10412

ORDER

AND NOW, this day of , 2014 upon consideration of Dr. Nitesh Bhagat, M.D.'s Motion to Dismiss Plaintiff's Complaint with Prejudice for Plaintiff's Failure to Serve a Proper Affidavit of Merit, and Plaintiff's Response in Opposition thereto, it is hereby ORDERED and DECREED that Defendant, Dr. Nitesh Bhagat, M.D.'s Motion to Dismiss Plaintiff's Complaint is deemed moot, as Dr. Nitesh Bhagat, M.D. was not named as a Defendant in Plaintiff's Short Form Complaint filed on December 18, 2013 and/or in the alternative, Denied without Prejudice to be renewed if the status of this matter as to Dr. Nitesh Bhagat changes.

J.